

LOUISVILLE METRO COUNCIL COMMITTEE MINUTES

Rules, Ethics, and Appointments Committee Meeting Summary

July 2, 2008

2:00 PM

City Hall, Third Floor

Present: **Chairman:** CM Fleming
 Members: CM Tandy, CM Henderson

Absent: **CM Unseld. and CM Call**

Chairman Fleming began the meeting by announcing the members and non-members of the committee that were present. A quorum was established.

AGENDA:

Shannon Tivitt, Mayor's Office, spoke regarding the following Appointments.

[AP070208WT APPOINTMENT OF WILLIAM TOMPKINS TO THE GREATER LOUISVILLE CONVENTION AND VISITORS BUREAU, TERM EXPIRES AUGUST 16, 2008.](#)

Status: In-Committee
Committee: Rules, Ethics, & Appointments

Motion to Approve was made by David Tandy and seconded by Robert Henderson.

Discussion: Mr. Tompkins is filling an unexpired term. He is a Caucasian Independent from District 8.

This item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 3; Against: 0; Abstain: 0; Absent: 2

For: Kenneth C. Fleming, David Tandy, Robert Henderson
Against: (None)
Abstain: (None)
Absent: George Unseld, Ellen Call

Motion to Approve the following two Items as a group was made by David Tandy and seconded by Robert Henderson.

[AP070208BB APPOINTMENT OF BONNIE BIEMER TO THE AIR POLLUTION CONTROL BOARD, TERM EXPIRES JUNE 30, 2011.](#)

Status: In-Committee
Committee: Rules, Ethics, & Appointments

Discussion: Ms. Biemer is a Caucasian Democrat from District 8.

[AP070208WJ APPOINTMENT OF WILLIAM JACOB TO THE AIR POLLUTION CONTROL BOARD, TERM EXPIRES JUNE 30, 2011.](#)

Status: In-Committee
Committee: Rules, Ethics, & Appointments

Discussion: Mr. Jacob is a Caucasian Republican from District 20.

The above two items were sent to the **Consent Calendar**.

VOTING RESULTS: For: 3; Against: 0; Abstain: 0; Absent: 2

For: Kenneth C. Fleming, David Tandy, Robert Henderson
Against: (None)
Abstain: (None)
Absent: George Unseld, Ellen Call

[RP061808JB REAPPOINTMENT OF JEFF BOONE TO THE LYNDON VOLUNTEER FIRE DISTRICT, TERM EXPIRES JUNE 30, 2011.](#)

Status: Return to Committee
Committee: Rules, Ethics, & Appointments

Discussion: This item was **Held** in Committee.

[O-114-06-08 AN ORDINANCE AMENDING § 21.06 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \[LMCO\], RELATING TO ETHICS COMPLAINTS.](#)

Status: In-Committee
Committee: Rules, Ethics, & Appointments
Primary Sponsor: Robert Henderson

Discussion: This item was **Held** in Committee.

[O-94-05-08 AN ORDINANCE AMENDING CHAPTER 21 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \[LMCO\] RELATING TO ETHICS.](#)

Status: In Committee - Tabled
Committee: Rules, Ethics, & Appointments
Primary Sponsor: Kenneth C. Fleming

Motion made to Untable was made by David Tandy and seconded by Robert Henderson.

This item was Untabled.

VOTING RESULTS: For: 3; Against: 0; Abstain: 0; Absent: 2

For: Kenneth C. Fleming, David Tandy, Robert Henderson
Against: (None)
Abstain: (None)
Absent: George Unseld, Ellen Call

Discussion: Chairman Fleming gave a brief recap of this ordinance. Matt Lemmle, Assistant County Attorney, spoke regarding this ordinance. The following was discussed:

- Chapter 21 - Complaints Against Metro Officers
- Definition of Metro Officer
- Within 60 days of complaint file the Ethics commission must issue complaint and schedule case or dismiss the complaint
- Police Merit Board Cases regarding 60 day rule
- Provides recourse
- Waiver of requirement belongs to the accused
- Due Process
- Structure of the Ethics Commission
- Ethics Commission can render opinions
- The Ethics Commission has Investigatory, advisory, and judicative functions
- When do lawyers get involved with a case
- Rule 11 - signing complaints in bad faith
- Needs uniform Ethic Form regarding signing complaints that are believed to be true
- Imposing sanctions
- Frivolous complaints
- Filing requirements for Metro Officers

Motion to Table was made by David Tandy and seconded by Robert Henderson.

This item was **Tabled**.

VOTING RESULTS: For: 3; Against: 0; Abstain: 0; Absent: 2

For: Kenneth C. Fleming, David Tandy, Robert Henderson

Against: (None)

Abstain: (None)

Absent: George Unseld, Ellen Call

Without Objection the meeting adjourned at 3:00 p.m.

***NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the July 10, 2008 Council Meeting.**

KQG